

FISCAL COMMITTEE OF THE GENERAL COURT

MINUTES

August 16, 2024

The Fiscal Committee of the General Court met on Friday, August 16, 2024, at 10:00 a.m. Room 210-211 of the Legislative Office Building.

Members in attendance were as follows:

Representative Ken Weyler, Chairman
Representative Keith Erf, Clerk
Representative Jess Edwards
Representative Mary Jane Wallner
Representative Peter Leishman
Representative Gerald Griffin (Alternate)
Senator James Gray
Senate President Jeb Bradley
Senator Regina Birdsell
Senator Lou D'Allesandro
Senator Donna Soucy (Alternate)

The Chair called the meeting to order at 10:04 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Senator Bradley, seconded by Senator Gray, that the Committee approve the minutes of the June 20, 2024 and July 10, 2024 meetings as written. MOTION ADOPTED. (9-Yes; 1-Abstained)

OLD BUSINESS:

None

NEW BUSINESS:

CONSENT CALENDAR

Department of Health and Human Services request, FIS 24-257 seeking authorization to accept and expend \$15,015,000 in federal funds through June 30, 2025 was withdrawn by the agency.

As announced by the Chair, the following items were removed from the Consent Calendar to be acted on individually;

- Tab 3 Pursuant to RSA 9:16-a.
FIS 24-251, 24-252, 24-264
- Tab 6 Pursuant to RSA 14:30-a, VI.
FIS 24-256, 24-258, 24-270
- Tab 7 Pursuant to RSA 14:30-a, VI. and RSA 124:15
FIS 24-241
- Tab 8 Pursuant to ARPA RSA 14:30-a, VI.
FIS 24-272

On a motion by Senator Bradley, seconded by Senator D'Allesandro, that the Committee approve all the remaining requests as submitted under the Consent Calendar, Tabs 3, 4, 5, 6, 7, 8 and 9. MOTION ADOPTED. [TAB 3 pursuant to RSA 9:16-a. II, FIS 24-235 Department of Military Affairs and Veterans Services – authorization to transfer \$125,000 in general funds through June 30, 2025, FIS 24-253 Department of Health and Human Services – authorization to transfer \$200,000 in general funds, reduce federal funds in the amount of \$200,200, and create a new expenditure class code through June 30, 2025, FIS 24-265 Department of Health and Human Services – authorization to transfer \$292,903 in federal funds through June 30, 2025, and FIS 24-266 Department of Transportation – authorization to transfer \$40,000 in federal funds between various expenditure class lines, and create a new expenditure class line through June 30, 2025; TAB 4 pursuant to RSA 9:16-c, I., FIS 24-254 Department of Energy – authorization to transfer \$271,880 in federal funds between class lines and create a class 022 Rents-Leases through June 30, 2025; TAB 5 pursuant to RSA 9:16-a and RSA 14:30-a, VI., FIS 24-259 Department of Health and Human Services – authorization through June 30, 2025 to; 1) transfer \$996,346 in general funds and reduce federal funds in the amount of \$797,143, and 2) contingent upon approval of Request #1, accept and expend \$1,728,841 in federal matching funds; TAB 6 pursuant to RSA 14:30-a, VI., FIS 24-236 Department of Natural and Cultural Resources – authorization to budget and expend \$400,000 other funds through June 30, 2025, FIS 24-237 Department of Education – authorization to; 1) accept and expend \$125,000 in other funds through June 30, 2025 (contingent upon Governor & Council approval of the grant agreement with Granite Edvance Corporation), FIS 24-238 Department of Education – authorization to accept and expend \$258,000 in federal funds through June 30, 2025, FIS 24-239 Department of Energy – authorization to amend FIS 23-300, approved October 19, 2023, by moving the Home Electrification grant to a new accounting unit, transferring \$240,293 in federal funds between classes and creating a class 022, 028, 050 and 057 through June 30, 2025, FIS 24-240 Department of Energy – authorization to accept and expend \$1,641,260 in federal funds through June 30, 2025, and FIS 24-255 Department of Administrative Services – authorization to accept and expend \$585,869 in other funds through June 30, 2025; TAB 7 pursuant to RSA 14:30-a, VI. and RSA 124:15, FIS 24-269 Department of Environmental Services – authorization to amend FIS 22-408, approved November 18, 2022, with subsequent approval on (FIS 23-167) May 19, 2023 and (FIS 23-288) October 19, 2023, by establishing a temporary full-time position #9T3358 through June 30, 2025; and TAB 8 pursuant to ARPA RSA 14:30-a, VI., FIS 24-267 Department of Business and Economic Affairs – authorization to accept and expend \$160,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2025, and FIS 24-268 Department of Safety – authorization to accept and expend \$1,093,707 in federal American Rescue Plan Act of 2021 (ARPA), State and Local Fiscal Recovery Funds (FRF) through June 30, 2025; and TAB 9 pursuant to ARPA RSA 14:30-a, VI. and RSA 124:15, FIS 24-271 Department of Environmental Services – authorization to amend FIS 22-406, approved November 18, 2022, with subsequent approval on (FIS 24-089) March 15, 2024 and (FIS

24-182) May 17, 2024, by reallocating \$131,651 in federal funds between class lines through June 30, 2025]

RSA 9:16-a. TRANSFERS AUTHORIZED:

CONSENT CALENDAR

FIS 24-251 Department of Education – Frank Edelblut, Commissioner, and Tammy Vaillancourt, Chief Financial Officer, Department of Education, responded to questions of the Committee.

On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the request of the Department of Education to retroactively transfer \$585,869 in general funds in and among accounting units retroactive to June 30, 2024 through June 30, 2025. MOTION ADOPTED.

FIS 24-252 Department of Health and Human Services – Nathan White, Chief Financial Officer, and Katja Fox, Director, Division for Behavioral Health, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the request of the Department of Health and Human Services to transfer \$581,758 in general funds and create new expenditure classes through June 30, 2025. MOTION ADOPTED. (8-Yes; 2-No)

Representative Edwards questions if the department was seeing payback in terms of increased productivity as a result of the IT Infrastructure Investments made in the last two budget cycles. David Wieters, Chief Operating Officer, will follow up with details on the various programs that have been implemented.

FIS 24-264 Department of Administrative Services – Sheri Rockburn, Assistant Commissioner, Department of Administrative Services responded to questions of the Committee.

The Committee paused action on the item to allow the Department to verify information found in the request.

RSA 14:30-a. VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

CONSENT CALENDAR

FIS 24-256 Department of Health and Human Services – Nathan White, Chief Financial Officer, and David Chorney, Deputy Director, Division of Medicaid Services, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative Edwards, seconded by Senator Soucy, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$414,142 in other funds through June 30, 2025. MOTION ADOPTED.

FIS 24-258 Department of Health and Human Services – Nathan White, Chief Financial Officer, and David Chorney, Deputy Director, Division of Medicaid Services, Department of Health and Human Services responded to questions of the Committee.

On a motion by Senator Bradley, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Health and Human Services through June 30, 2025 to; 1) accept and expend \$12,424,333 in federal funds, and 2) retroactively extend FIS 22-162, approved May 20, 2022, by extending the ended date from June 30, 2023 to June 30, 2025, and 3) contingent upon approval of Request #1, authorization to accept and expend \$12,410,000 in other funds. MOTION ADOPTED.

FIS 24-270 Department of Health and Human Services – Ann Landry, Associate Commissioner, and Nathan White, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee.

On a motion by Representative Edwards, seconded by Senator Soucy, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$2,017,464 in federal funds through June 30, 2025. MOTION ADOPTED.

RSA 9:16-a. TRANSFERS AUTHORIZED (continued):

CONSENT CALENDAR

FIS 24-264 Department of Administrative Services – Sheri Rockburn, Assistant Commissioner, Department of Administrative Services verified the figures found in the request and responded to questions of the Committee.

On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the request of the Department of Administrative Services to transfer \$1,838,351 in general/other funds between accounting units, and create new expense class codes through June 30, 2025. MOTION ADOPTED.

RSA 14:30-a. VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE, AND RSA 124:15. POSITIONS AUTHORIZED:

CONSENT CALENDAR

FIS 24-241 Department of Energy – Joshua Elliott, Director of Policy and Programs, and Christopher Ellms, Deputy Commissioner, Department of Energy responded to questions of the Committee.

On a motion by Senator Bradley, seconded by Senator D'Allesandro, that the Committee approve the request of the Department of Energy through June 30, 2025 to; 1) accept and expend \$43,110,000 in federal funds, and 2) contingent upon approval of Request #1, create two (2) temporary full-time Program Managers positions and one (1) compliance position, and establish a class 046 Consultant. MOTION ADOPTED.

RSA 14:30-a. VI FISCAL COMMITTEE APPROVAL REQUIRED FOR ACCEPTANCE AND EXPENDITURE OF FUNDS OVER \$100,000 FROM ANY NON-STATE SOURCE:

AMERICAN RESCUE PLAN 2021
CONSENT CALENDAR

FIS 24-272 Pease Development Authority, Division of Ports and Harbors – Myles Greenway, Acting Director, Pease Development Authority, Division of Ports and Harbors responded to questions of the Committee.

On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the request of the Pease Development Authority, Division of Ports and Harbors to amend FIS 24-115, approved April 19, 2024, to extend the end date from September 30, 2024 to June 30, 2025. MOTION ADOPTED.

RSA 21-M:11-a. IV. YOUTH DEVELOPMENT CENTER CLAIMS ADMINISTRATION AND SETTLEMENT FUND:

REGULAR CALENDAR

FIS 24-261 NH Youth Development Center Claims Administration and Settlement Fund and FIS 24-262 Department of Justice – John Formella, Attorney General, and Laura Raymond, Attorney, Department of Justice presented the request and responded to questions of the Committee. Also present were Jennifer Foley, Attorney, New Hampshire Youth Development Center Claims Administration and Settlement Fund, and Matthew Broadhead, Senior Assistant Attorney General, and Thomas Kaempfer, Deputy Director of Administration, Department of Justice. A handout was distributed to the Committee members.

On a motion by Senator Bradley, seconded by Senator Gray, that the Committee approve jointly the requests of the NH Youth Development Center Claims Administration and Settlement Fund seeking authorizing the Administrator of the New Hampshire Youth Development Center Claims Administration and Settlement Fund (FIS 24-261) to make non-substantive, technical, mechanical, and typographical changes to the operative legal documents; Claims Process for Administration of the YDC Settlement Fund, and Claim Packet, including Claim Form, effective upon Fiscal Committee approval but without need for further approval, so long as notification to the Fiscal Committee is provided, and of the Department of Justice (FIS 24-262) for approval in substantially similar form, of the enclosed claims process documents developed and updated by the DOJ for use in the submission, administration, settlement, and resolution of claims of abuse

of former Youth Development Center (“YDC”) residents from the YDC settlement fund and further requests permission to make non-substantive changes to the documents, once approved, to enhance their readability and accessibility to the potential claimant population, to incorporate the most trauma-informed and victim-centered language achievable, and to make other non-substantive changes thereto, as specified in the request dated August 1, 2024. MOTION ADOPTED.

RSA 362-F:10, I. RENEWABLE ENERGY FUND:

REGULAR CALENDAR

FIS 24-242 Department of Energy – On a motion by Representative Leishman, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Energy to create one temporary full-time Hearing Examiner position (21-1020 Admin Law Judges-6, Pay Band 9). MOTION ADOPTED.

LATE ITEMS:

FIS 24-273 Department of Health and Human Services – Nathan White, Chief Financial Officer, and Patricia Tilley, Associate Commissioner, Department of Health and Human Services responded to questions of the Committee. Taylor Caswell, Executive Director, Governor’s Office for Emergency Relief And Recovery was also present to respond to Committee questions.

On a motion by Senator Gray, seconded by Senator Bradley, that the Committee approve the request of the Department of Health and Human Services to accept and expend \$6,000,000 in federal American Rescue Plan Act (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2025. MOTION ADOPTED.

FIS 24-274 Department of Corrections – On a motion by Representative Leishman, seconded by Senator D’Allesandro, that the Committee approve the request of the Department of Corrections to accept and expend \$574,937 in federal American Rescue Plan Act of 2021 (ARPA) State Fiscal Recovery Funds (SFRF) through June 30, 2025. MOTION ADOPTED.

FIS 24-275 Governor’s Office for Emergency Relief And Recovery – No discussion was held on the late informational item, dated August 8, 2024, summarizing unobligated American Rescue Plan Act of 2021 (ARPA) State Fiscal Recovery Funds (SFRF) made available from previously approved requests in order to reallocate funding to other projects that will be submitted separately to Fiscal Committee for approval at future meetings.

INFORMATIONAL MATERIALS:

Taylor Caswell, Commissioner, Department of Business and Economic Affairs, responded to questions of the Committee pertaining to FIS 24-243 Department of Business and Economic Affairs – RSA 12-O:13, III – report on activity within the Travel and Tourism Revolving Fund for the fiscal year ending June 30, 2024.

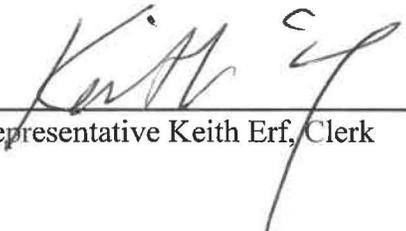
Nathan White, Chief Financial Officer, Department of Health and Human Services responded to questions of the Committee pertaining to FIS 24-260 Department of Health and Human Services – Operating Statistics Dashboard SFY25 report through June 30, 2024, with the exception of data for the Division for Children, Youth and Families staffing, and Mental Health and Substance Use Disorder (SUD) Caseloads, which is through March 31, 2024, and further data for the Developmental Disabilities, Acquired Brain Disorders, and In-Home Supports waitlist through June 30, 2023.

The informational items were accepted and placed on file.

DATE OF NEXT MEETING:

The next regular meeting was previously scheduled for Friday, September 13, 2024 at 10:00 a.m. to be held in the Legislative Office Building, Room 210-211.

On a motion by Senator Soucy, seconded by Senator D'Allesandro, that the meeting adjourn. (Whereupon the meeting adjourned at 11:35 a.m.)



Representative Keith Erf, Clerk